



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,894	03/20/2006	Ian David Stones	M03B354	1336
71134	7590	12/13/2010	EXAMINER	
Edwards Vacuum, Inc. 2041 MISSION COLLEGE BOULEVARD SUITE 260 SANTA CLARA, CA 95054			BOBISH, CHRISTOPHER S	
		ART UNIT	PAPER NUMBER	
		3746		
		MAIL DATE		DELIVERY MODE
		12/13/2010		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Notice of Non-Compliant  
Pre-Appeal Brief Request for Review  
(New Time Period for Filing Brief)**

Application No.  
10/572894

Applicant(s)  
Ian David Stones et al.

Examiner

Christopher S. Bobish

Art Unit

3746

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Pre-Appeal Brief Request for Review filed on 11/03/10 is non-compliant for the following reason(s). See *Pre-Appeal Brief Conference Pilot Program*, 1296 Off. Gaz. Pat. Office 67 (July 12, 2005). A conference will not be held.

The time period for filing an appeal brief will be reset to be one month from the mailing of this notice, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this notice or the receipt date of the notice of appeal, as applicable.

1.  The Request was not filed concurrently with a proper Notice of Appeal.
2.  The Request does not include accompanying arguments for which the review is being requested.
3.  The arguments accompanying the Request exceed five (5) pages.
4.  The arguments accompanying the Request are directed to petitionable, not appealable, matters.
5.  An after-final or proposed amendment was filed with the Request, or after the filing of the Request but before a panel decision from the pre-appeal brief conference.
6.  The request was filed concurrently with a Request for Continued Examination (RCE).
7.  Other (including any explanation in support of the above items):

/Sharmalla Coates/  
Sharmalla Coates, Supervisor  
Patent Appeal Center